

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2308877
Decision Date:	11/1/2023	Hearing Date:	10/19/2023
Hearing Officer:	Mariah Burns	Record Open to:	10/31/2023

Appearance for Appellant:



Appearance for Marlborough Hills Rehab:



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, Quincy, Massachusetts 02171*

APPEAL DECISION

Appeal Decision:	Dismissed	Issue:	Nursing Facility Discharge; Health Improved
Decision Date:	11/1/2023	Hearing Date:	10/19/2023
Nursing Facility's Rep.:	[REDACTED]	Appellant's Rep.:	Pro se
Hearing Location:	Remote	Aid Pending:	No

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. During the hearing, the nursing facility presented sufficient evidence to establish that the appellant's health had sufficiently improved so that he no longer required skilled nursing services. 130 CMR. 610.028(A)(2). The appellant expressed dissatisfaction with the location of discharge and was concerned that the location could be detrimental to his sobriety and safety. The record was kept open for two weeks to give the parties time to find a more amenable discharge location for the appellant. The appellant also granted his daughter, who was present on the hearing, authority to speak on his behalf during the record open period.

On [REDACTED] 2023, the administrator for the nursing facility informed the hearing officer that the appellant agreed to a different location and was set for discharge that day. The appellant's daughter did not object to the appellant's discharge. As that resolves the issue on appeal, the cases is hereby DISMISSED.

Mariah Burns
Hearing Officer
Board of Hearings

cc:

[REDACTED]

[REDACTED]